

Serial No.: 09/826157
Conf. No.: 4012

- 2 -

Art Unit: 2137

In the Claims

Please replace all prior versions, and listings, of claims in the application with the following list of claims:

Please amend claims 117, 134, 135, 137, 138 and 139 as follows:

1.-111. (Canceled)

112. (Currently Amended) A method of watermarking title data with identification data, the method comprising the steps of:

selecting a plurality of placement locations in the title data;
randomly selecting a plurality of number to frequency modulation relationships; and
frequency modulating at least a portion of the title data at each of the plurality of placement locations with a modulation derived by applying one of the plurality of number to frequency modulation relationships[[,]] to the identification data.

113. (Previously Presented) The method as claimed in claim 112, further comprising the steps of:

generating a watermarking key that is a combination of the customer identification data and an identifier of the randomly selected plurality of number to frequency modulation relationships; and
storing the watermarking key in a secure database.

114. (Original) The method as claimed in claim 113, wherein the step of generating the watermarking key includes generating a unique watermark key for each watermarked title data.

115. (Original) The method as claimed in claim 112, wherein the title data is audio title data.

Serial No.: 09/826157
Conf. No.: 4012

- 3 -

Art Unit: 2137

116. (Original) The method as claimed in claim 115, further comprising the step of decoding at least a portion of the audio title data.

117. (Currently Amended) The method as claimed in claim 115, wherein the step of selecting a plurality of placement locations includes scanning the audio title data to determine a plurality of locations where ~~one of a~~ frequency deviation between channels of the audio title data is less than a predetermined frequency deviation~~[[.]] or and time intervals within the audio title data for time-frequency modulating the audio title data where the time/frequency modulation of~~ the audio title data is not discernible to a human ear.

118. (Previously Presented) The method as claimed in claim 117, wherein the step of selecting a plurality of placement locations includes randomly selecting the plurality of placement locations from the plurality of locations.

119. (Canceled)

120. (Previously Presented) The method as claimed in claim 117, wherein the step of scanning includes selecting a channel of the audio title data as a reference channel, and selecting another channel of the audio title data to be frequency modulated as a watermarked channel.

121. (Original) The method as claimed in claim 120, wherein the reference channel and the watermarked channel are randomly changed.

122. (Previously Presented) The method as claimed in claim 115, wherein the title data is audio title data, and further comprising the step of encoding the audio title data after the step of frequency modulating.

123. (Previously Presented) The method as claimed in claim 122, further comprising the step of combining the frequency modulated audio title data with a remainder of the audio title data to provide watermarked audio title data.

Serial No.: 09/826157
Conf. No.: 4012

- 4 -

Art Unit: 2137

124. (Previously Presented) The method as claimed in claim 116, further comprising the step of combining the frequency modulated audio title data with corresponding video title data to provide watermarked title data.

125. (Previously Presented) The method as claimed in claim 112, wherein: the frequency modulated title data is provided as watermarked title data; and the method further comprises the step of storing reference title data for use when decoding the watermarked title data.

126. (Previously Presented) The method as claimed in claim 112, wherein: the frequency modulated title data is provided as watermarked title data; and the method further comprises the step of burning a selected medium with the watermarked title data.

127. (Previously Presented) The method as claimed in claim 112, wherein: the frequency modulated title data is provided as watermarked title data; and the method further comprises transmitting the watermarked title data to a customer.

128. (Original) The method as claimed in claim 112, further comprising the step of receiving an decryption key and decrypting encrypted title data to provide the title data.

129. (Original) The method as claimed in claim 112, further comprising the step of decoding encoded title data to provide the title data.

130. (Previously Presented) The method of watermarking title data of claim 112, wherein randomly selecting a plurality of number to frequency modulation relationships comprises selecting an entry of a set of encoding relationships.

131. (Previously Presented) The method of claim 130, wherein each of the encoding relationships comprises a plurality of randomly selected number to frequency modulation relationships.

Serial No.: 09/826157
Conf. No.: 4012

- 5 -

Art Unit: 2137

132. (Previously Presented) The method of claim 131, wherein selecting a plurality of placement locations comprises selecting a plurality of placement locations using information stored in the selected entry of the set of encoding relationships.

133. (Previously Presented) Computer-readable media comprising watermarked title data that is watermarked with an identification code, the title data having at a plurality of locations the identification code modulated on the title data, with a different modulation scheme at each of the plurality of locations creating a random relationship between the identification code and modulation at each of the plurality of locations.

134. (Currently Amended) The computer-readable media of claim ~~132~~133, wherein the title data is audio data and the modulation schemes used to modulate the title data alter the title data by a sufficiently small amount that the modulated data is not perceptible to a human listener of the audio title data.

135. (Currently Amended) The computer-readable media of claim ~~132~~133, wherein the computer readable media comprises a physical media.

136. (Previously Presented) The computer-readable media of claim 134, wherein the computer readable media comprises a computer disk.

137. (Currently Amended) The computer-readable media of claim ~~132~~133, wherein the computer readable media comprises data transmitted over a network.

138. (Currently Amended) The computer-readable media of claim ~~132~~133, wherein the plurality of locations have random positions on the computer readable media.

139. (Currently Amended) The computer readable media of claim ~~132~~133, wherein the different modulation schemes are random.

Serial No.: 09/826157
Conf. No.: 4012

- 6 -

Art Unit: 2137

140. (Previously Presented) A method of watermarking title data with identification data, the method comprising:

selecting a plurality of locations in the title data;

randomly selecting one of a plurality of encoding relationships, each of the encoding relationships comprising position information identifying a plurality of positions and frequency modulation information associated with each position identified by the position information;

selecting a plurality of placement locations from the plurality of selected locations based on the position information and, for each of the plurality of placement locations, modulating the title data at the placement location with the identification data based on the frequency modulation information associated with the position; and

storing a watermarking key indicating the identification data and the selected one of the plurality of modulation relationships.

141. (Previously Presented) The method as claimed in claim 140, further comprising the step of receiving an decryption key and decrypting encrypted title data to provide the title data.

142. (Previously Presented) The method as claimed in claim 115, further comprising the step of receiving an decryption key and decrypting encrypted title data to provide the title data.

143. (Previously Presented) The method as claimed in claim 117, further comprising the step of receiving an decryption key and decrypting encrypted title data to provide the title data.